

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

EARL GAVIN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 7:18-cv-00523-DCC-JDA
)	
EXPERIAN INFORMATION SOLUTIONS,)	
INC.; TRANS UNION LLC; and)	
EQUIFAX, INC.,)	
)	
Defendants.)	

**DEFENDANT TRANS UNION LLC'S
ANSWERS TO LOCAL RULE 26.03 INTERROGATORIES**

Defendant Trans Union, LLC (“Trans Union”), by its undersigned counsel, and pursuant to Federal Rule of Civil Procedure 26(f) and Local Civil Rule 26.03, files its answers to Local Civ. Rule 26.03 (D.S.C.) Interrogatories as follows:

1) A short statement of the facts of the case:

Earl Gavin (“Plaintiff”) alleges that he was not provided with his full consumer disclosure report from Trans Union in violation the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681g. Trans Union complied with the FCRA when it provided Plaintiff with his consumer disclosure reports in response to each of his requests. The information provided to Plaintiff in each of his consumer disclosure reports satisfied the requirements set forth in § 1681g. Trans Union denies violating any of the laws relied on by Plaintiff.

2) The names of fact witnesses likely to be called by the party and a brief summary of their expected testimony:

Earl Gavin, as the Plaintiff in this matter, is believed to have knowledge of the facts relating to the allegations made in this case, his dealings with creditors, his dealing with Trans Union, and her alleged damages.

Experian Information Solutions, Inc., and its employees and representatives, are believed to have knowledge of the facts relating to the allegations made by Plaintiff in this case, the damages claimed by Plaintiff, its dealings with Plaintiff, and its dealings with Plaintiff's creditors.

Equifax Information Services LLC, and its employees and representatives, are believed to have knowledge of the facts relating to the allegations made by Plaintiff in this case, the damages claimed by Plaintiff, its dealings with Plaintiff, and its dealings with Plaintiff's creditors.

Representative(s) of Trans Union LLC have knowledge regarding Trans Union's computer and data base, communications and correspondence between Trans Union and Plaintiff, communications and correspondence between Trans Union and Plaintiff's creditors, and Trans Union's policies and procedures.

Trans Union reserves the right to call any and all persons and entities with whom Plaintiff has applied for credit, as they are believed to have knowledge regarding Plaintiff's application(s), Plaintiff's credit history, the reasons Plaintiff was granted or denied credit, and any communications or correspondence between them and Plaintiff.

Trans Union reserves the right to call any and all persons and entities who have reviewed Plaintiff's credit reports, as they are believed to have knowledge regarding their communications and correspondence with Plaintiff, the reasons that they reviewed Plaintiff's credit report and the contents of Plaintiff's credit reports.

Trans Union reserves the right to call any and all individuals or entities identified by Plaintiff in his Initial Disclosures, Preliminary Witness List, discovery responses, or any supplements to same.

- 3) **The names and subject matter of expert witnesses (if no witnesses have been identified, the subject matter and field of expertise should be given as to experts likely to be offered):**

At this time, Trans Union has not designated any experts, but reserves the right to do so, in compliance with the Court's Scheduling Order and the Local Rules.

4) A summary of the claims or defenses with statutory and/or case citations supporting same:

Trans Union asserts the following defenses to Plaintiff's claims:

- a. At all times, Trans Union acted in full compliance with the FCRA. *See* 15 U.S.C. § 1681.
- b. The consumer disclosure reports provided to Plaintiff satisfied the requirements of set forth in 15 U.S.C. § 1681g.
- c. Plaintiff did not suffer any injury for which the FCRA provides any redress (actual damages proximately caused by non-compliance with the FCRA is an essential element of a claim under the FCRA). *Cahlin v General Motors Acceptance Corp.*, 936 F.2d 1151, 1156 (11th Cir. 1991).

5) Absent special instructions from the assigned judge, the parties shall propose dates for the following deadlines listed in Local Civil Rule 16.02:

Trans Union requests the Court refer to the Scheduling Order, filed on March 26, 2018.

6) Any special circumstances which would affect the time frames applied in preparing the scheduling order. See generally Local Civil rule 16.02(C).

Trans Union requests the Court refer to the Scheduling Order, filed on March 26, 2018.

7) Any additional information requested in the Pre-Scheduling Order (Local Civil Rule 16.01) or otherwise requested by the assigned judge:

No additional information was requested.

Respectfully Submitted,

s/ Wilbur E. Johnson

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COUNSEL FOR TRANS UNION LLC

CERTIFICATE OF SERVICE

This is to certify that on April 30, 2018, a true and correct copy of the above and foregoing document has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel:

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This is to certify that on April 30, 2018, a true and correct copy of the above and foregoing document has been served via First Class Mail and Electronic Mail on the following non-CM/ECF participant:

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s/ Wilbur E. Johnson
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